**IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

UNITED STATES OF AMERICA	)	
	)	
v.	)	**Case No.: 2:06cr228-VPM**
	)	
RENEE N. SHOUP	)	

**UNOPPOSED MOTION TO WITHDRAW PLEA
AND TO CONTINUE FOR CONSIDERATION OF PRE-TRIAL DIVERSION**

NOW COMES the Defendant, Renee A. Shoup, by and through the undersigned counsel, Michael J. Petersen, and respectfully moves this Court to allow the Defendant to withdraw her plea of guilty, entered before this Court on November 7, 2006 and to reset the matter for trial on the January 8, 2007 misdemeanor trial docket to allow for the consideration of pretrial diversion in this matter.

In support of this Motion, defendant would show:

1. At the time of her entry of her plea of guilty, the Defendant was under extreme emotional distress, and did not enter into her plea voluntarily and knowingly.
2. Upon this Court's own Order, and due to the aforementioned obvious emotional distress, the Defendant's Consent Plea Hearing was delayed for 10 days.
3. At the same time, this Court directed that it would allow the Defendant to withdraw her plea of guilty should she choose to do so.
4. Having discussed the available options with undersigned counsel, and the Defendant having reconsidered the matter calmly, the Defendant wishes to exercise the option of withdrawing her plea of guilty as provided by this Court.
5. Undersigned counsel has requested Pretrial Diversion for Defendant.

6. The government will be evaluating the Pretrial Diversion request.

7. Counsel for the prosecution does not oppose this motion.

8. A Waiver of Right to Speedy Trial will be filed with this Court should this Court direct that such Waiver be necessary.

WHEREFORE, defendant respectfully requests that this Motion be granted, the Defendant be allowed to withdraw her plea, that the Consent Plea Hearing presently scheduled before this Court on November 17, 2006 at 9:00 a.m. in Courtroom 4B be cancelled, and a date set for trial on the January 8, 2007 misdemeanor trial docket.

Dated this the 16th day of November, 2006.

s/ Michael J. Petersen
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ASB-5072-E48M

CERTIFICATE OF SERVICE

I hereby certify that on November 16, 2006, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Kent Brunson, AUSA
One Court Square, Suite 201
Montgomery, AL 36014

Neal B. Frazier, Special AUSA
42 ABW/JA
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Respectfully submitted,

s/ Michael J. Petersen
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